

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ALBERT HARRIOT,

Plaintiff,

-against-

M. KOPP; M. CAPRA; C. SMITH; FACILITY
HEALTH SERVICES DIRECTOR OF
OSSINING C.F.; ROA, NURSE
ADMINISTRATOR OF OSSINING C.F.;
DYER, SORC OF OSSINING C.F.;
REGISFORD, SORC OF OSSINING C.F.;
PARKER, MEDICAL DOCTOR OF
OSSINING,

Defendants.

25-CV-1697 (LTS)

ORDER DIRECTING PAYMENT OF FEE
OR AMENDED IFP APPLICATION

LAURA TAYLOR SWAIN, Chief United States District Judge:

On April 1, 2024, Plaintiff brought this action *pro se* in the United States District Court for the Eastern District of New York. It was thereafter transferred to the United States District Court for the Northern District of New York, which severed the claims arising at Sing Sing Correctional Facility against the above-named defendants and transferred them here.¹

To proceed with a civil action in this Court, a plaintiff must either pay \$405.00 in fees – a \$350.00 filing fee plus a \$55.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915. Plaintiff submitted the complaint without the filing fees, and the IFP application that he submitted with his complaint is dated nearly one year ago and may have

¹ The United States District Court for the Northern District of New York granted Plaintiff's request to proceed *in forma pauperis* solely for the action that proceeding in that court. The claims that were severed and opened as a new action in this district require a separate filing fee or order granting *in forma pauperis* status.

outdated information. Accordingly, within thirty days of the date of this order, Plaintiff must either pay the \$405.00 in fees or submit an amended IFP application.

CONCLUSION

Within thirty days of the date of this order, Plaintiff must either pay the \$405.00 in fees or submit an amended IFP application. If Plaintiff submits the IFP application, it should be labeled with docket number 25-CV-1697 (LTS).

No summons shall issue at this time. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed without prejudice.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: February 27, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge